



D.F.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Melbourne F. Giberson, et al.	
Serial No.: 10/782,205	Group No.: 3745
Filed: 02/19/2004	Examiner: NA
For: Fluid Coupling for Mobile Equipment	Docket No.: TRI 8300D7

St. Louis, Missouri
Date: April 26, 2006

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. 1.181(a)

A Notice of Abandonment under 37 C.F.R. 1.53(f) or (g) was mailed April 12, 2006. A copy is enclosed. In this notice, the abandonment was purportedly for failure to timely or properly reply to a Notice of Filed Missing Parts mailed on May 14, 2004. Not only was a response filed, as evidence by the enclosed copy of a properly itemized date-stamped postcard receipt, but the reply was specifically acknowledged in a Second Notice of Incomplete Reply, mailed January 6, 2005, to which a reply was also made as evidence by a properly itemized date-stamped postcard receipt, copy of which is enclosed.

The basis for the supposed incomplete reply has been in each case that the signature of Robert D. Walker was missing from the Declaration.



05-02-2006

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #72

The response in each case has pointed out that the name of Robert D. Walker was removed from the parent application by a preliminary amendment mailed July 3, 2003. In the second reply, it is pointed out that Robert Walker is not listed as inventor on this divisional application, a copy of the first page of which is enclosed.

The parent application, with Robert Walker deleted, has issued as Patent No. 6,769,248. Seven divisionals were filed in none of which Robert Walker is listed as an inventor, and in all of which a copy of the original Declaration was submitted. One of the divisionals was abandoned intentionally. Of the others, one has issued as Patent No. 6,993,902, another as Patent No. 7,017,341. Still another has been allowed. Every one of them has had the name of Robert D. Walker on the Declaration, but no signature of Robert D. Walker because he was never an inventor of the claimed invention, and is not listed as an inventor on the divisionals. The appearance of the typed name Robert D. Walker on the Declaration has no significance, and can be excised, and in the parent and at least five of the seven divisionals, this has been no impediment to the acceptance of the application for examination. An action on the merits in the sixth one was mailed on April 20, 2006.

Because replies have been made to both Notices to File Missing Parts, and because there really are no missing parts, but only an appearance on the Declaration of a name of a non-inventor who is not listed as an inventor in the

specification, it is respectfully requested that the holding of abandonment be withdrawn and the case sent to the Examiner for examination.

Respectfully submitted:



Philip B. Polster
Registration No. 16,554
Polster, Lieder, Woodruff & Lucchesi L.C.
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St. Louis, Missouri 63131
Phone: (314) 238-2400
Fax: (314) 238-2401



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/782,205	02/19/2004	Melbourne F. Giberson	TRI 8300D7

1688
 POLSTER, LIEDER, WOODRUFF & LUCCHESI
 12412 POWERSCOURT DRIVE SUITE 200
 ST. LOUIS, MO 63131-3615



CONFIRMATION NO. 4093
ABANDONMENT/TERMINATION
LETTER

Date Mailed: 04/12/2006

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 05/14/2004.

- No reply was received.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP §§ 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37

CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (571) 272-3282.

*A copy of this notice **MUST** be returned with the reply.*

RJL
Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382
PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/782,205	02/19/2004	Melbourne F. Giberson	TRI 8300D7

Polster, Lieder, Woodruff & Lucchesi, L.C.
Suite 200
12412 Powerscourt Drive
St. Louis, MO 63131-3615



CONFIRMATION NO. 4093
FORMALITIES LETTER

OC000000012859585

Date Mailed: 06/03/2004

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 05/24/2004 to the Notice to File Missing Parts (Notice) mailed 05/14/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The signature of the following inventor(s) is missing from the oath or declaration:
Robert D. Walker

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Docket No.: TRI 8300D7

In re application of: Melbourne F. Giberson, et al.	
Serial No.: 10/782,205	Group No.: 3745
Filed: February 19, 2004	Examiner:
For: Fluid Coupling for Mobile Equipment	

St. Louis, Missouri
Date: June 8, 2004

Mail Stop Missing Parts
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is:

- Response to Notice of Incomplete Reply (Nonprovisional) dated June 3, 2004 in the above-identified application;
- Copy of the Notice of Incomplete Reply (Nonprovisional);
- No additional fee is required.

Small Entity Status:

- Applicant claims small entity status.

The Commissioner is hereby authorized to charge any additional fees or credit overpayment under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account 162201. *Duplicate copies of this sheet are enclosed.*

Philip B. Polster
Registration No: 16,554

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on June 8, 2004.

Philip B. Polster, Reg. No. 16,554

June 8, 2004
Date of Signature

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Melbourne F. Giberson, et al.
SERIAL NO.: 10/782,205
FILED: February 19, 2004
DOCKET NO.: TRI 8300D7
GROUP ART UNIT: 3745
FOR: Fluid Coupling for Mobile Equipment

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on June 8, 2004.

Philip B. Polster, Reg. No. 16,554

Mail Stop Missing Parts
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

June 8, 2004
St. Louis, Missouri

**RESPONSE TO NOTICE OF INCOMPLETE REPLY
(NONPROVISIONAL)**

Sir:

In a Notice of Incomplete Reply (Nonprovisional), the reply which the U.S. Patent and Trademark Office received on May 24, 2004, is said not to include the signature of Robert D. Walker on the Oath or Declaration. Robert D. Walker was removed from the original application by a Preliminary Amendment mailed July 3, 2003. Mr. Walker never did sign the application and any claim that was even remotely related to Mr. Walker was canceled. Accordingly, it is respectfully requested that the reply of May 24, 2004 be approved.

If the Examiner has any question about all of this, it respectfully requested that he call applicant's attorney at (314) 238-2400.

Respectfully submitted,

Philip B. Polster, Reg. No. 16,554
Polster, Lieder, Woodruff & Lucchesi, L.C.
12412 Powerscourt Drive, Suite 200
St. Louis, MO 63131-3615
Telephone: (314) 238-2400
Facsimile: (314) 238-2401



In re Application of: Melbourne F. Giberson, et al.
Application No.: 10/782,205
Title: Fluid Coupling for Mobile Equipment

Enclosed are:

- Response to Notice of Incomplete Reply (Nonprovisional) dated June 3, 2004
- Copy of the Notice to File Missing Parts
- No additional fee is required.

PBP/sj
TRI 8300D7

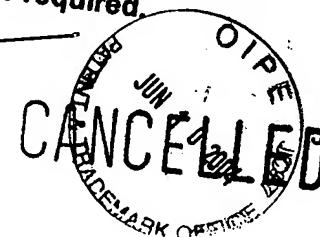
June 8, 2004

In re Application of: Melbourne F. Giberson, et al.
Application No.: 10/782,205
Title: Fluid Coupling for Mobile Equipment

Enclosed are:

- Response to Notice of Incomplete Reply (Nonprovisional) dated June 3, 2004
- Copy of the Notice to File Missing Parts
- No additional fee is required.

PBP/sj
TRI 8300D7



June 8, 2004



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/782,205	02/19/2004	Melbourne F. Giberson	TRI 8300D7

1688
 POLSTER, LIEDER, WOODRUFF & LUCCHESI
 12412 POWERSCOURT DRIVE SUITE 200
 ST. LOUIS, MO 63131-3615



CONFIRMATION NO. 4093
FORMALITIES LETTER



OC000000014898153

Date Mailed: 01/06/2005

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 06/10/2004 to the Notice to File Missing Parts (Notice) mailed 05/14/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The signature of the following inventor(s) is missing from the oath or declaration:
Robert D. Walker

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

[Signature]

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Docket No.: TRI 8300D7

In re application of: Melbourne F. Giberson, et al.

Serial No.: 10/782,205

Group No.: 3745

Filed: February 19, 2004

Examiner:

For: Fluid Coupling for Mobile Equipment

St. Louis, Missouri

Date: January 27, 2005

Mail Stop Missing Parts
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

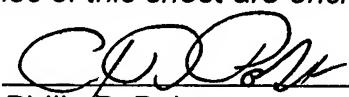
Transmitted herewith is:

- Response to Notice of Incomplete Reply (Nonprovisional) dated January 6, 2005 in the above-identified application;
- Copy of the Notice of Incomplete Reply (Nonprovisional);
- No additional fee is required.

Small Entity Status:

- Applicant claims small entity status.

The Commissioner is hereby authorized to charge any additional fees or credit overpayment under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account 162201. *Duplicate copies of this sheet are enclosed.*


Philip B. Polster
Registration No: 16,554

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on January 27, 2005.


Philip B. Polster, Reg. No. 16,554

JAN 27 2005
Date of Signature



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Melbourne F. Giberson, et al.
SERIAL NO.: 10/782,205
FILED: February 19, 2004
DOCKET NO.: TRI 8300D7
GROUP ART UNIT: 3745
FOR: Fluid Coupling for Mobile Equipment

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Philip B. Polster, Reg. No. 16,554

Mail Stop Missing Parts
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

January 27, 2005
St. Louis, Missouri

**RESPONSE TO NOTICE OF INCOMPLETE REPLY
(NONPROVISIONAL)**

Sir:

A second notice of incomplete reply, mailed January 6, 2005, has been received. In applicant's reply, dated June 8, 2004, to the first notice, it was pointed out that Robert D. Walker was removed from the original application by a preliminary amendment mailed July 23, 2003, and that Mr. Walker never did sign the application or the declaration. However, it was not pointed out that in the present application, Robert Walker is not listed as an inventor in the paragraph on the first page of the application. Thus, his name on the declaration is of no significance. The parent case, with Mr. Walker absent from it, has issued as patent number 6,769,248. Other of the divisionals have been accepted without the signature of Mr. Walker, which would, under the circumstances of his not being named as an inventor, be meaningless.

Accordingly, it is respectfully requested that the application be accepted as it stands.

Respectfully submitted,

Philip B. Polster, Reg. No. 16,554
Polster, Lieder, Woodruff & Lucchesi, L.C.
12412 Powerscourt Drive, Suite 200
St. Louis, MO 63131-3615
Telephone: (314) 238-2400
Facsimile: (314) 238-2401



In re Application of: Melbourne F. Giberson, et al.
Application No.: 10/782,205
Title: Fluid Coupling for Mobile Equipment

Enclosed are:

- Response to Notice of Incomplete Reply (Nonprovisional) dated January 6, 2005
- Copy of the Notice to File Missing Parts
- **No additional fee is required.**

PBP/kjl
TRI 8300D7

January 27, 2005

In re Application of: Melbourne F. Giberson, et al.
Application No.: 10/782,205
Title: Fluid Coupling for Mobile Equipment

Enclosed are:

- Response to Notice of Incomplete Reply (Nonprovisional) dated January 6, 2005
- Copy of the Notice to File Missing Parts
- **No additional fee is required.**

PBP/kjl
TRI 8300D7



January 27, 2005

SPECIFICATION

To All Whom It May Concern:

Be It Known That we, Melbourne F. Giberson, a citizen of the United States, resident of the Township of East Nantmeal, County of Chester, Commonwealth of Pennsylvania, whose post office address is 30 Ludwig's Crossing Lane, Glenmoore, PA 19343; Mark T. Simonelli, a citizen of the United States, resident of the City of Downingtown, County of Chester, Commonwealth of Pennsylvania, whose post office address is 930 Kings Arms Drive, Downingtown, PA 19335; Frederick C. Wiesinger, Jr., a citizen of the United States, resident of the Township of Towamencin, County of Montgomery, Commonwealth of Pennsylvania, whose post office address is 1550 Allentown Road, Lansdale, PA 19446, and Gerald L. Abrams, a citizen of the United States, resident of the Township of Lower Providence, County of Montgomery, Commonwealth of Pennsylvania, whose post office address is 3232 West Mount Kirk Avenue, Eagleville, PA 19403, have invented certain new and useful improvements in

Fluid Coupling for Mobile Equipment

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